

AO 441 (Rev. 8/01) Third Party Summons in a Civil Action

UNITED STATES DISTRICT COURT

Middle

District of

Alabama

PLAINTIFF

CHRIS E. TURNER

THIRD PARTY SUMMONS IN A  
CIVIL ACTION

V. DEFENDANT AND THIRD PARTY PLAINTIFF

CITY OF AUBURN

Case Number: 3:07-CV-162-MEF

V. THIRD PARTY DEFENDANT

CWH RESEARCH, INC.

To: Name and address of Third Party Defendant

CWH Research, Inc.  
9085 East Mineral Circle  
Suite 350  
Englewood, Colorado 80112

**YOU ARE HEREBY SUMMONED** and required to serve on

PLAINTIFF'S ATTORNEY (name and address)

Jeffrey W. Bennett  
Jeff Bennett & Associates, LLC  
P.O. 383063  
Birmingham, Alabama 35238-3063

Wanda D. Devereaux, Esq.  
Devereaux & Associates, LLC  
2800 Zelda Road, Ste 200-2  
Montgomery, Alabama 36106

DEFENDANT AND THIRD-PARTY PLAINTIFF'S ATTORNEY

(name and address)

Randall Morgan, Esq.  
Hill, Hill, Carter, Franco, Cole & Black, P.C.  
P.O. Box 116  
Montgomery, Alabama 36101-0116

an answer to the third-party complaint which is served on you with this summons, within 20 days after the service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default may be taken against you for the relief demanded in the third-party complaint. There is also served on you with this summons a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third-party plaintiff. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

Debra P. Hackett

CLERK

*Debra P. Hackett*  
DEPUTY CLERK

March 4, 2008

DATE

AO 441 (Rev. 8/01) Third Party Summons in a Civil Action

<b>RETURN OF SERVICE</b>		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	
NAME OF SERVER	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the third-party defendant. Place where served:  <input type="checkbox"/> Left copies thereof at the third-party defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:  <input type="checkbox"/> Returned unexecuted:  <input type="checkbox"/> Other (specify):		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL \$0.00
<b>DECLARATION OF SERVER</b>		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____ Signature of Server _____</p> <p style="text-align: center;">_____ Address of Server</p>		

**U.S. Postal Service**  
**CERTIFIED MAIL<sup>TM</sup> RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage \$	3:07cr162
Certified Fee	Postmark Here
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	
<b>CWH RESEARCH, INC.</b> Sent To 9085 E. Mineral Circle Suite 350 Street, Apt. No., or PO Box No. Englewood, Colorado 80112 City, State, Zip	

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure